

DEVELOPMENT REVIEW COMMITTEE

Meeting Minutes

The Development Review Committee of Monroe County conducted a special meeting on **Friday, October 15, 2010**, beginning at 10:08 a.m. at the Marathon Government Center, 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL by Gail Creech

DRC MEMBERS:

Townsley Schwab, Senior Director of Planning and Environmental Resources	Present
Mike Roberts, Senior Administrator, Environmental Resources	Present
Joe Haberman, Development Review Manager	Present

STAFF MEMBERS:

Susan Grimsley, Assistant County Attorney	Present
Mitch Harvey, Comprehensive Plan Manager	Present
Bryan Davisson, GIS Planner	Present
Tiffany Stankiewicz, Development Administrator	Present
Gail Creech, Planning Commission Coordinator	Present

CHANGES TO THE AGENDA

There were no changes to the agenda.

MEETING

NEW ITEM

1. **REVIEW TIER DESIGNATION REVIEW COMMITTEE (TDRC) AND STAFF RECOMMENDATIONS FOR TIER DESIGNATIONS, TAKE PUBLIC INPUT AND FINALIZE STAFF RECOMMENDATION FOR ALL PARCELS BEING CONSIDERED FOR EITHER RE-DESIGNATION OR DESIGNATION AMENDMENT.**
 - a. TDRC RECOMMENDATIONS ON PAGES 1-86
 - b. STAFF RECOMMENDATION ON PAGES 8, 10, 12, 25, 29, 30, 35, 40, 54, 57, 58, 59, 69, & 78

Michael Roberts presented the Committee members with the amended final order from the administrative law judge. Mr. Roberts explained that the order struck the acreage requirements of hammock in determining tier designation. As a result, the four-acre minimum requirement of

four acres for Tier I is gone, the one-acre requirement for Tier IIIA, or SPA, is gone from the land development code, but the one-acre minimum remains unchanged in the comprehensive plan.

Also submitted by Mr. Roberts was a staff report that included a background of the original resolutions passed in March 2006, a summary of the lawsuit that was filed, as well as a summary of the results of the TDRC's review and recommendations. There were a total of 3,428 parcels reviewed, which parcels contained 175.16 acres of tropical hardwood hammock. Mr. Roberts broke the parcels down into tier designations recommended by the TDRC, and then compared that to staff's recommendations.

Mr. Roberts explained the major variation between staff's recommendations and the TDRC's recommendations were, one, the occurrence of wetlands within some of the parcels the TDRC recommended as Tier I, which staff removed if there was no native upland habitat on the parcel, and two, when staff reviewed site-specific parcels, some of the data was found to be not completely accurate.

Mr. Roberts went through a few maps that were considered acceptable to staff as an example for the Committee and explained to the Committee what constitutes a break and how to determine if the one-acre criteria was met when designating parcels.

Mr. Roberts then went through the following staff recommended changes to the TDRC's recommendations:

Map 8 – Mr. Roberts said the SPA area in 113b, a developed parcel to the bottom left, constitutes a break. Staff felt that the fragmentation of hammock brought that entire block to Tier III. Staff also felt that the Tier I parcels on the map should be changed to SPA because those parcels are acting as a buffer to the Tier I parcels to the north and south.

Map 10 – Mr. Roberts said that the Tier I parcels in the upper right-hand corner should be SPA since they were individual parcels within a developed subdivision.

Map 12 – Mr. Roberts said staff felt the spa parcel in the middle of 124/125 should be Tier III, as it is a fragment of hammock that is heavily disturbed. Mr. Roberts explained that the code recognizes there will be fragments of hammock within Tier III areas that are not designated SPA or Tier I and were intended to be part of the infill area.

Map 25 – Mr. Roberts stated that the TDRC recommended Tier I for area 135b because of its proximity and adjacency to native areas, even though it is a developed parcel. Staff felt that was an inappropriate designation based on code language and recommended a SPA designation.

Map 29 – Mr. Roberts told the Committee the original designation in 2006 for area 142d was Tier III. The TDRC recommended Tier I. They are long parcels, most of which are developed, but because of the extent of habitat that remains on the site, staff felt a SPA designation was appropriate.

Map 30 – Mr. Roberts said that the strip of SPA in 145e has a structure on it, and even though it is mapped as hammock, it is landscaped and has mowed lawn underneath the trees, which staff feels makes it Tier III. This affects the parcels immediately below it, as they then become a fragment of hammock.

Map 35 – Mr. Roberts explained that Harris Park was reviewed many times by the TDRC. The neighborhood has many nice stands and fragments of hammock throughout the subdivision. The TDRC initially recommended a Tier I designation for 147a because of the debate of the one-acre minimum and the fear of losing healthy hammock that potentially provides endangered species habitat. After much debate, the TDRC finally settled on designating the majority of hammock within 147a as SPA. Staff concurs with most of the designations except for the three parcels on Atlantic. Due to the extent of nuisance and exotic vegetation, staff recommends Tier III.

Brett Ekblom, property owner of a parcel within 147a, was present. Mr. Ekblom presented a vegetation survey that said his parcel was wooded, but disturbed, and present aerial photographs of his property. Mr. Ekblom then pointed out the development surrounding his property. Mr. Roberts discussed the hammock connectivity to the surrounding parcels.

Mr. Ekblom requested a revision from SPA to a Tier III designation. Mr. Schwab explained to Mr. Ekblom that a vote will not be taken by the DRC, and then explained the process through which the recommendation goes. Mr. Schwab encouraged Mr. Ekblom to attend the Planning Commission meeting.

Mr. Roberts, citing this map as an example of evaluation difficulties, suggested evaluating the comprehensive plan and land development code in terms of the overall picture of what Tier I, Tier IIIA and Tier III is supposed to be. Mr. Schwab agreed that more discussion was needed.

Map 40 – Mr. Roberts stated that the parcels designated SPA under 152b, the triangular parcel on the west side of the road has a fair amount of nuisance and exotic vegetation, as well as in the area as a whole, and that the parcel on the east side of the road is a developed parcel. Therefore, staff was recommending a Tier III designation.

Map 54 – Mr. Roberts reminded the Committee that some recommendations of parcels by the TDRC were based on the ecological value of wetlands and the potential value as a corridor. While area 371c was 100 percent wetlands, Mr. Roberts did not feel they met the criteria for Tier I or Tier IIIA.

Map 57 – Mr. Roberts explained there was an extensive amount of hammock within this subdivision, but that the corner parcel in 387c was a County-owned parcel and had extensive nuisance and exotic vegetation. Therefore, staff recommends a Tier III designation. Moving across Coral Avenue to the right, Mr. Roberts stated that this parcel was substantially cleared with remaining non-native plants. Staff again recommends a Tier III designation. The half-dozen lots in the center of 387b are substantially cleared with remaining nuisance and exotic vegetation. Staff is recommending a Tier III designation.

Map 58 – Mr. Roberts told the Committee that area 400a is almost all developed parcels, with the exception of one parcel that is primarily wetlands. Staff is recommending Tier III.

Map 59 – Mr. Roberts stated that the large commercial and industrial property adjacent to U.S.1 had very little intact hammock. Therefore, staff is recommending Tier III.

Map 69 – Mr. Roberts explained that although area 441a has valuable ecological habitat, it is a wetland habitat and staff is recommending Tier III.

Map 78 – Mr. Roberts said that the TDRC recommended the entire parcel of 281a, Sugarloaf Lodge, to be Tier I. Although the majority of the parcel is developed, it is a large parcel that extends into natural area to the west and north. Mr. Roberts pointed out it is not native upland vegetation and does not meet Tier I or SPA criteria.

Mr. Roberts further stated that the parcel boundary changed within the last two weeks, and as a result the majority of the native area to the west is not within the same parcel boundary as the remainder of the lodge and commercial operation. Staff was recommending Tier III for the lodge property and will concur with the TDRC's initial recommendation for the remainder of the parcel to the left and north.

Mr. Schwab asked for comments by staff. There were none.

Mr. Schwab stated that he wanted the opportunity to look at the maps and discuss them in detail with staff prior to the Planning Commission meeting. Mr. Schwab then complimented Mr. Roberts and staff on the incredible job they have done on this matter.

ADJOURNMENT

The meeting was adjourned at 11:20 a.m.